In the High Court of Judicature for Rajasthan
At
Jaipur Bench, Jaipur

O R D E R

In

S.B. Criminal Misc. Bail Application No.7096/06
Quddus Vs. State of Rajasthan

Date Of Order :: 23rd November, 2006

Hon'ble Mr. Justice Jitendra Ray Goyal

Mr. S.S. Ali, counsel for petitioner.
Mr. R.P. Kuldeep, Public Prosecutor for State.

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Heard learned counsel for accused petitioner, learned Public Prosecutor for the State, perused the case diary and other material produced during the course of arguments.

It is contended on behalf of the accused petitioner that on account of some rivalry he has falsely been implicated in this matter. It is also submitted that cross FIR has also been registered for the offence under section 307 IPC and co-accused Mussavvir received serious injuries and it is alleged that co-accused Mussavvir inflicted the blow on the head and caused injury to Syed Amaan Chisti but the injuries sustained by the injured persons were found to be simple in nature. It is also

submitted that principal accused Mussavvir has been arrested and enlarged on bail and co-accused persons Vikas, Kammar, Tahur and Tassavvur have been granted the benefit of pre-arrest bail by this Court and the case of present accused petitioner Quddus is not distinguishable from their case.

Learned Public Prosecutor opposed the bail application.

Without making any observation on merits, having considered the rival submissions made at the bar, nature of accusation, material on record, entire facts circumstances and also keeping in view that co-accused persons Vikas, Kammar, Tahur and Tassavvur have been granted the benefit of pre-arrest bail by this Court and the case of present accused petitioner Quddus is not distinguishable from their case, I deem it proper to grant the benefit of pre-arrest bail to present accused petitioner Quddus.

In the result, the bail application is allowed and it is directed that in the event of arrest of petitioner Quddus S/o. Gaus Mohammed Chisti, he shall be released on bail by the concerned SHO/Investigating Officer in FIR

No.74/2006 registered at Police Station Dargah, Ajmer provided he furnishes a personal bond in the sum of Rs.10,000/- together with two sureties each in the sum of Rs.5,000/- to the satisfaction of the concerned SHO/Investigating Officer on the following conditions :-

1. that he shall make himself available for interrogation by a police officer as and when required;
2. that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or any police officer; and
3. that he shall not leave India without previous permission of the Court.

(J.R. Goyal),J

VS Shekhawat/-
Jr. P.A.